



PATENT

ATTORNEY DOCKET NO.: 041465-5135

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Yoshitsugu ARAKI et al.)	Confirmation No.: 6134
)	
Application No.: 10/068,024)	Group Art Unit: 2652
)	
Filed: February 8, 2002)	Examiner: <i>Unassigned</i>
)	
For: INFORMATION RECORDING)	
APPARATUS)	

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

A European Search Report (ESR) dated September 2, 2004 is attached together with listed documents. Applicants respectfully request that the Examiner consider the ESR and listed documents and evidence that consideration by making appropriate notations on the attached PTO Form-1449. Relevance of any non-English document can be ascertained from the attached ESR or from an English language abstract.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or

constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



John G. Smith

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Dated: September 27, 2004

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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) PTO Form 1449				Attorney Docket No.: 041465-5135		Application No.: 10/068,024			
				Applicant(s): Yoshitsugu ARAKI et al.				Page 1 of 1	
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U.S. PATENT DOCUMENTS							
Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date	

FOREIGN PATENT DOCUMENTS								
		Document Number	Date	Country	Class	Sub Class	Translation	
							Yes	No
		JP 2000-293947	October 12, 2000	Japan				X
		EP 0 957 477 A	November 17, 1999	Europe				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		

Examiner	Date Considered
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication.	